THE GENUINE LEGAL SENTENCE

Pronounced by the

High Court of Judicature

OF

PORTUGAL

UPON THE

Conſpirators againſt the Life of His Moſt Faithful MAJESTY; with the juſt Motives for the ſame.

Literally tranſlated from the Original Portugueſe, *as printed at the Court of* Liſbon, *by Order and Authority of the ſaid Tribunal.*

DUBLIN:

Printed for G. and A. EWING, J. EXSHAW, A. JAMES, W. SLEATER, and H. BRADLEY, Bookſellers. MDCCLIX.

BRITISH MUSEUM

THE GENUINE LEGAL SENTENCE, &c.

AGREED by Persons of the Council and Senate of our Lord the King, &c. After examining the Proceedings, which according to form of Law and his Majesty's Decrees were succinctly carried on against the Criminals, *Joseph Mascarenhas*, heretofore Duke of *Aveiro*; Lady *Eleanor* of *Tavora*, heretofore Marchioness of that Title; *Francis Assizes* of *Tavora*, heretofore Marquis of the said Title; *Lewis-Bernard* of *Tavora*, heretofore Marquis of the same Title; Don

Jerome of *Ataide*, heretofore Count of *Atouguia*; *Joſeph-Maria* of *Tavora*, heretofore Adjutant of the military Orders of the Marquis his Father; *Blaize-Joſeph-Romeiro*, Corporal in the Company commanded by the Criminal, *Lewis Bernard* of *Tavora*; *Antony-Alvares Ferreira*; *Joſeph-Policarp de-Azevedo*; *Emanuel-Alvares Ferreira*, Keeper of the Wardrobe to the Criminal *Joſeph Maſcarenhas*; and *John Michael*, attending Page to the ſaid Criminal *Joſeph Maſcarenhas*; together with the reſt of the Depoſitions, and Papers annexed; Allegations, Articles and Defences made by the ſaid Criminals, *&c. &c. &c.*

I. And whereas it appears fully proved by the Confeſſions of the major Part of the ſaid Criminals, and by many Witneſſes atteſting upon ocular Evidence, and their own Deed, which agree with thoſe, That the Criminal *Joſeph Maſcarenhas* had conceived a deſperate, ſacrilegious, and implacable Wrath againſt the Auguſt and moſt Sacred Perſon of our Lord THE KING, on account of his Majeſty's having, by his Royal Providential Meaſures and moſt equitable Orders, defeated the Schemes with which the aforeſaid Criminal had artfully and raſhly endeavoured,

voured, not only to arrogate to himſelf, in the actual moſt happy Government of theſe Kingdoms, all that pernicious Influence, which, by Means of the Authority of his Uncle *F. Gaſpar da Incarnaçaõ*, he had had during the latter Years of the immediately foregoing Reign; but alſo to cauſe the important Commendams, which had been held, as Grants for Life, by the Adminiſtrators of the Houſe of *Aveiro*, to be adjudged inherent to the Crown-Lands and Patrimonial Eſtate of the ſaid Houſe, and in which Commendams, (as being ſubject to the ſame Regulations as all Eccleſiaſtical Benefices) the ſaid Criminal could claim no Right without founding it on a perſonal Title, he abſolutely had not: And on Account of our ſaid Lord's having likewiſe put a a Stop to the Celebration of the Marriage, which he had haſtily and greedily adjuſted between his Son the *Marquis* of *Gouvea*, and Lady *Margaret de Lorena*, immediate Sifter to the Duke of *Cadaval*, Don *Nuno Cajetan de Mello*; with the Deſign in all Appearance of making that Marriage the Means of blending with his own Houſe, as an occaſional Augmentation thereof, the moſt Illuſtrious Houſe of *Cadaval*; the actual Lord of which being actually a Minor, ſtill lia-

ble to the Small-Pox, (ſo fatal to his Family) and moreover unmarried, the ſaid Criminal endeavoured, at the ſame Time, to hinder from entering into the Marriage-State; by commencing and fomenting Law-Suits and Executions againſt him, which might throw the Eſtates of the ſaid Duke, in his Minority, into ſuch a perplexed Condition, as ſhould deprive him of the neceſſary Means towards bearing the Expences of the Marriage, with which a Duke of *Cadaval* ſhould endeavour at the Continuation of his moſt worthy and moſt Illuſtrious Houſe.

II. It farther appears, that the ſaid Criminal Don *Joſeph Maſcarenhas*, being diabolically excited by the malignant Spirit of Pride, Ambition, Avarice, and implacable Wrath againſt the moſt Auguſt and moſt Beneficent Perſon of his Majeſty, proceeded immediately to clear the Way for thoſe farther Abſurdities, with which he has ſince debaſed himſelf, by his induſtrious Endeavours to decoy and gain over to himſelf all thoſe Perſons, whom he knew that our ſaid Lord had juſtly excluded from his Royal Good-liking, or whom he knew to be unjuſtly diſcontented with his Majeſty's moſt happy Government; endeavouring to alienate them ſtill more

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from the Royal Service, by the moſt pernicious Inſtances of his own ſacrilegious Detraction and Hatred: Infamouſly ſhunning it himſelf: Running into the impious Extreme of ſaying, that for him (the Criminal) it was one and the ſame Thing, to be ordered to go to Court, as to have his Legs cut off: And giving into the Folly of flattering himſelf, and approving and conſenting to his being told by others, that there was now no other Eminence for him to reach than the Throne, by becoming King himſelf.

III. It farther appears, that in Purſuance of this infernal Syſtem of infamous Hatred and Sedition, notwithſtanding the implacable Averſion and declared War which ſubſiſted between the aforeſaid Criminal and the *Jeſuits*, and which during the whole Time of the Miniſtry of his ſaid Uncle *F. Gaſpar da Incarnaçaõ* cauſed ſuch a general and clamorous Scandal throughout this Court and Kingdom; and notwithſtanding that, even after the Death of the ſaid *F. Gaſper*, the ſame implacable Averſion had notoriouſly ſubſiſted between him (the Criminal) and the aforeſaid *Jeſuits*; as ſoon as ever theſe were diſmiſſed from receiving the Confeſſions of their Majeſties and

Royal Highneſſes, and univerſally forbidden all Acceſs to Court, on the moſt juſt and preſſing Conſiderations of the Schemes they had laid for alienating certain foreign Courts from the Friendſhip and Union they had with his Majeſty, and of the formal Rebellions and open Wars, with which they diſturbed our ſaid Lord in *Uraguay* and *Maranhao*; the Criminal, who was in Duty bound, by Reaſon of his Office and Vaſſalage, to make it his Buſineſs in the like Circumſtances to ſhun the Society of the ſaid *Jeſuits*, as Men infected with a Plague, acted ſo very much the reverſe, that, by a Reconciliation quite ſudden and incompatible with his inflexible Pride, he artfully and induſtriouſly patched up a Reunion and Intimacy with the aforeſaid People: Paying them frequent Viſits in all their Houſes: Receiving them in like manner at his own Houſe: holding very long Conferences with them: Cautioning his domeſtic Servants to acquaint him, whenever any of the *Jeſuits* came to his Houſe: And recommending an inviolable, wary and unuſual Secrecy concerning the reciprocal Viſits, which paſſed between him and the *Jeſuits* aforeſaid.

IV. It

IV. It farther appears, that the execrable Effects of that Reconciliation (as incompatible with the Pride of the Criminal, as with the known Arrogance and revengeful Spirit of the ſaid *Jeſuits*) were: One, that all the aforeſaid Perſons linked themſelves together, and declared themſelves Enemies to the moſt Auguſt Perſon of his Majeſty, and to his moſt happy and moſt glorious Government: The other, that in this Conſpiracy, they proceeded even to the horrible Exceſs of unanimouſly agreeing all with one-another, in the Conferences held with the Criminal in their Colleges of *Santo Antaô* and of *S. Roque*, and in his Houſe, that the only Means there was for effecting a Change of the Government of the Realm, which made the common ambitious and deteſtable Object of the ſaid Conſpirators, was that of contriving the Death of our Lord THE KING: All perſiſting to make a common Cauſe of this ſacrilegious and infamous Project: The ſaid *Jeſuits* promiſing Indemnity to the ſaid Criminal in the Execution of that infernal Parricide, with the Reflection, that all Things would be quiet, as ſoon as ever his Majeſty's moſt precious and moſt glorious Life

was put an End to: And the ſame *Jeſuits* giving it as their Opinion, that whoever ſhould be the Parricide of our ſaid Lord, would not ſo much as ſin, even lightly: All which machiavelian, deteſtable and ſavage Wiles, ſhocking to pious Ears, were maintained in the repeated Meetings, which were held upon this infamous and abominable Conſpiracy between the ſaid *Jeſuits* and the ſaid Criminal, together with other his Aſſociates in the ſame Crime.

V. It farther appears, that the Criminal and the aforeſaid *Jeſuits*, in Purſuance of the ſame deteſtable Confederacy and infernal Conſpiracy, and operating all with one common Accord, proceeded to the drawing the Marchioneſs of *Tavora* into the ſame, in ſpite of all that innate and ancient Averſion which had always ſubſiſted between the ſaid Marchioneſs and the ſame Criminal; as well on account of their oppoſite Geniuſes, as by reaſon of their jarring Intereſts: For, notwithſtanding that there had conſtantly exiſted a declared Jealouſy between the ſaid Marchioneſs and the Criminal, concerning which ſhould gain the Aſcendant in Ambition and Haughtineſs; notwithſtanding

ing the moſt ſtimulating Envy, with which the ſaid Marchioneſs was tortured, at ſeeing the Houſe of the ſaid Criminal exalted above her own in Honours and Wealth; and notwithſtanding that the ſaid Criminal had rendered that Hatred far more ſtinging yet, by the many and great Efforts he had made, while the Marquis *Francis-Aſſizes* of *Tavora* was abſent in the States of *India*, in Order to deprive him at that Juncture of the Copy-holds of *Margaride* and of the free Eſtates of his Houſe: Notwithſtanding all the aboveſaid Particulars, the Art of the ſaid *Jeſuits* on one hand, and the Art of the Criminal on the other, wrought ſo effectually, that in Fact they gained their Point of drawing the ſaid Marchioneſs into their infamous Confederacy.

VI. It farther appears, in Confirmation of the foregoing Facts, that, the ſaid Marchioneſs having entered into the aforeſaid Conſpiracy, both ſhe and the ſaid *Jeſuits* ſet about perſuading all Perſons of their Acquaintance and Friendſhip, that *Gabriel Malagrida*, a Member of the ſame Society of *Jeſuits*, was a Man of great Self-denial, and a Saint; the

the ſaid Marchioneſs performing, as indeed ſhe did perform, ſpiritual Exerciſes, under the Guidance and Direction of the aforeſaid *Jeſuit*; ſhewing that ſhe intirely followed his Dictates and Counſels; and by theſe Oſtentations of her Faith in the ſaid *Gabriel Malagrida*, and of her Subjection to his Spirit, cauſing ſuch grievous and pernicious Miſchiefs as were the following:——I. *That* ſhe, this Criminal, held a daily Aſſembly at her own Houſe for Slanders and Calumnies, in order to excite Averſion and Hatred to his Majeſty's Royal Perſon and moſt happy Government: II. *That* the ordinary Converſation at the ſaid Houſe was one continued Cabal of Treacheries and Plots againſt the Royal Perſon of our ſaid Lord; it being agreed therein, that it would be very uſeful, that our ſaid Lord ſhould ceaſe to live; and many of the Agreements and Plottings on this abominable Principle, being made in the Houſe of the ſaid Marchioneſs, in order to committing and ſupporting the ſacrilegious Inſult of the Night of the *Third* of *September* of *laſt* year: III. *That* the ſame Marchioneſs entered into Confederacy with the Duke of *Aveira*, through the Conformity of their deteſ-

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table Sentiments; being preſent with him at the other Agreements and Plottings, which were made in the Houſe of the ſame Duke, to deprive our Lord THE KING of his moſt precious and moſt glorious Life; in order that the happy Government of our ſaid Lord might by that Means be put an End to: IV. *That* the ſaid Marchioneſs did alſo confederate with the *Jeſuits*, *John de Matos*, *John Alexandre*, and others beſides the aforeſaid *Gabriel Malagrida*, her conſtant and abſolute Director: V. *That* the ſaid Marchioneſs ſet herſelf up for one of the *three* Ring-leaders of this barbarous and horrible Conſpiracy, in order to propagate it, endeavouring with her Authority and Artifice, by the Means afore-ſpecified and others, to draw into the ſaid Conſpiracy all the Perſons ſhe could poſſibly decoy: VI. and laſtly, *That* ſhe the ſaid Criminal aſſociated herſelf immediately with the perfidious and ſacrilegious Perpetrators of the execrable Inſult of the Night of the *Third* of *September* of *laſt* Year, contributing *Sixteen Moidores* in part of the Reward, which was given to the infamous and deteſtable Monſters, who in the aforeſaid unfortunate Night fired the ſacrilegious Shot, which

produced

produced thoſe moſt enormous Miſchiefs, which we all deplore.

VII. It farther appears, that the ſaid Marchioneſs, in purſuance of her abominable Plan, and having arrogated to herſelf the deſpotic Direction of all the Actions of the Marquis, *Francis Aſſizes* of *Tavora*, her Huſband; of her Sons; of her Daughters; of her Son-in-Law; of her Brothers-in-Law; and of other Perſons; infamouſly proſtituted the Authority, which ſhe aſſumed over them, to the Perverſion of them all. It being ſhe, who, hurried away by a diabolical Spirit of Pride, and Thirſt of Dominion, and a Greedineſs for Riches; by joining for theſe purpoſes with the Duke of *Aveiro*, and with the ſaid *Jeſuits* (as has been made appear) did impiouſly and inhumanly decoy and enſnare her ſaid Huſband, Children, Son-in-Law, Brothers-in-Law, and Friends (as will be more fully ſhewn hereafter) into the aforeſaid Confederacy, and into the horrible Inſult of the Night of the *Third* of *September* of *laſt* Year: Uſing, for the Inſtruments of this infernal Work, not only the Opinion ſhe affected to have of the pretended Sanctity of the afore-named *Gabriel Malagrida*, but alſo the Letters,

ters, which he frequently wrote to her, to perſuade all her Relations to go and join in ſpiritual Exerciſes with him the ſaid *Malagrida*.

VIII. It farther appears, that, in conſequence of theſe diabolical previous Steps, the *Firſt* of the *Followers*, who miſerably plunged himſelf into the Infamy of the ſaid Conſpiracy, was the Marquis *Francis-Aſſizes* of *Tavora*, being dragged by the Perſuaſions of the ſaid Marchioneſs, his Wife; of the Duke of *Aveiro*, his Brother-in-Law; and of the ſaid *Jeſuits*, to fall into the ſame Precipice: *Inſomuch* that he went to the Exceſs of making his Houſe an infamous Office of Conſpiracies, Treacheries, and Plots, againſt the High Fame and moſt precious Life of his Majeſty; being alſo preſent, for theſe abominable Purpoſes, at thoſe pernicious Conferences and Conſpiracies, which were had and held in the Houſe of the Duke of *Aveiro*, in order to change his Majeſty's Government, and deprive our ſaid Lord of his moſt precious Life: *Inſomuch* that he even carried to the ſaid Duke *Twelve Moidores* (or upwards of *fifty-ſeven Milreis* and a *half*) which fell to his Share of the moſt infamous Reward, which was given to

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the two Aſſaſſins aforementioned, before they committed the Inſult of the *Third* of *September* of *laſt* Year: *Inſomuch* that, immediately upon the Perpetration of the ſaid Inſult, the ſaid Marquis *Francis-Aſſizes* was reputed and declared to be one of the Accomplices guilty of that execrable Enormity, as well by the common Voice and Rumour of the Public, as from the Opinion and certain Knowledge of the Servants of both Houſes, and of the Aſſociates in the aforeſaid Inſults: It being above all things eſpecially proved, that he concurred towards it, and perſonally aſſiſted at it, in one of the Ambuſhes, which were infamouſly laid in that moſt unfortunate Night of the *Third* of *September* of *laſt* Year; in order that our Lord THE KING, eſcaping from any of them, might fall into the others: *Inſomuch* that, after the Perpetration of the ſaid Crime, he was ſeen by him in that ſame Night, as he was retiring from the ſaid Ambuſhes in the Grounds behind the Garden of the ſaid Duke of *Aveiro*, actually treating with the other Accomplices about the ſame Crime, which all had been aiding and aſſiſting at: And *inſomuch* that he was alſo preſent at the Meeting of the *Relations*, which, on the Day immediately following

following the Inſult of the *Third* of *September*, was held in the Houſe of the ſaid Duke of *Aveiro*; where ſome of them reproached the Aſſaſſins for not having ſtruck the Blow ſo as to work all its moſt miſchievous Effects; while others bragged, that they ſhould have done it, had our Lord THE KING paſſed by the Ambuſhes in which they were poſted to way-lay him.

IX. It farther appears, that the *Second* of the *Followers*, whom the ſaid Marchioneſs, Lady *Eleanor* of *Tavora*, the Duke of *Aveiro* and the ſaid *Jeſuits* confederated with them, drew into the ſame infamous Conſpiracy, by decoying him with the Opinions of the *Jeſuits* aforeſaid, and particularly with the Spirituality of *Gabriel Malagrida*, and with Calumnies againſt his Majeſty's moſt auguſt Perſon, and moſt happy and moſt glorious Government, was the Marquis, *Lewis-Bernard* of *Tavora*: It being proved againſt this Criminal, *that* he reſorted almoſt every Day to the Houſe of the Duke of *Aveiro*, or was viſited by the ſame: *That* thus he was perſonally preſent at the moſt pernicious Cabals of ſacrilegious Calumny, and the infamous Conſpiracies,

Conſpiracies, which were held at the reſpective Houſes of the Marquis and Marchioneſs, his Parents, and of the Duke of *Aveiro*: *That*, in fact, he joined in the ſaid Confederacy, offering Arms and Horſes for the Perpetration of the ſacrilegious Inſult: *That* two Days before it was put in Execution, he had with ſtudious Precaution ſent to the Stables of the Duke of *Aveiro* two Horſes ready bridled and ſaddled, and covered with their Saddle-cloths: That having in the Afternoon of the ſame Day, *third* of *September* of *laſt* Year, previouſly to the aforementioned Inſult, kept himſelf, contrary to his uſual Cuſtom, retired and ſhut up with the *Marquis*, his Father; with *Joſeph-Maria* of *Tavora*, his Brother, and with others, conſulting about the ſame Inſult; he perſonally aſſiſted in fact at the Ambuſhes, which, in that moſt unfortunate Night of the *Third* of *September* of *laſt* Year, were laid againſt his Majeſty's moſt auguſt and moſt precious Life, that, if he ſhould eſcape ſome of them, he might not fail of periſhing in the others, which were laid between the two Country-houſes: And finally, *that* on the Day immediately following

following the ſaid Inſult of the Night of the *Third* of *September* of *laſt* Year, he alſo perſonally aſſiſted at the Family-Meeting, which was held at the Houſe of the Duke of *Aveiro*; at which ſome of the Perſons preſent reproached the Aſſaſſins, who fired the ſacrilegious Shot, for that theſe had not all their deteſtable Effect; while others flattered themſelves that the ſaid deteſtable Crime had been fully accompliſhed, if the Carriage of our Lord THE KING had but paſſed by the Place where theſe barbarous and ſacrilegious Boaſters were way-laying him.

X It farther appears, that the *Third* of the *Followers*, whom the ſaid *three* ſeditious and deteſtable Ring-leaders drew into this infamous Conſpiracy, and plunged into this ſacrilegious and barbarous Crime, was Don *Jerome* of *Ataide*, Count of *Atouguia*, Son-in-law to the aforeſaid Marquis *Francis-Aſſizes*, and Lady *Eleanor* of *Tavora*; it being proved, *that* he, with the Counteſs his Wife, almoſt every Night aſſiſted at the ſeditious and abominable Cabals, which were held in the Houſe of the Marquis and Marchioneſs,

chioneſs, his Father and Mother-in-law: *That*, at the ſaid Cabals, he was perverted by his ſaid Mother-in-law, ſo far as to follow in all Things, and to all Intents, the abominable Maxims of the Marchioneſs his ſaid Mother-in-law, and the deteſtable Doctrines of the *Jeſuits*, ſuggeſted by *Gabriel Malagrida*, *John de Matos*, and *John Alexandre*; and that he conceived a great Averſion for the Royal Perſon and happy Government of our Lord, THE KING. *That* he therefore concurred with *Eight Moydores* towards the moſt worthleſs Reward of the Aſſaſſins, who fired the ſacrilegious Shot; and that he entered into this Conſpiracy with the *Jeſuits*, *Malagrida*, *John de Matos*, and *John Alexandre*: And, finally, that this Criminal was an Aſſociate in the Way-layings, which were poſted againſt his Majeſty in the ſame moſt unfortunate Night of the *Third* of *September* of *laſt* Year; and that the Counteſs, his Wife, perſonally aſſiſted at the infatuated and unnatural and Family-Meeting or Aſſembly, which, on the Morrow next following, the Inſult was held in the manner afore-deſcribed, at the Houſe of the Duke of *Aveiro*, ſituated in the Town of *Belem*.

XI. It

XI. It farther appears, that the *Fourth Follower*, whom the aforementioned *three* Ring-leaders, or Heads entangled in this Conſpiracy, by the Methods already related, was *Joſeph-Maria* of *Tavora*, Adjutant of the military Orders of the *Marquis* of *Tavora*, his Father: For it is proved, *that* This, who is a Youth, and a young Officer, being perverted by the *Marchioneſs* his Mother at the moſt pernicious Cabals, which were held at her Houſe, as has been ſhewn, not only entered into the Confederacy with the reſt of the Aſſociates in this horrible Crime, holding himſelf for diſſatisfied with, and wronged by, his Majeſty's Government; but alſo was perſonally preſent at the inſidious and ſacrilegious Ambuſhes, which were laid, in the ſaid moſt unfortunate Night of the *Third* of *September* of *laſt* Year, againſt the moſt precious Life of our ſaid Lord: *That*, in like manner, he concurred with the reſt of the Aſſociates in the Crime at the Meeting, which they held the ſame Night after the Perpetration thereof, when they aſſembled in the Ground, lying to the North of the Garden of the *Duke* of *Aveiro*, cloſe to the Pent-houſe, which

which leads to his Buildings: And, finally, *that* he was likewiſe preſent at the other Meeting, which, on the Day immediately following the Inſult, was held in the Houſe of the Duke of *Aveiro*; this Criminal being the Perſon who (alluding to the Prodigy of his Majeſty's eſcaping with his moſt precious Life in Safety) uttered thoſe ſavage and ſhocking Words: *Alas! the Man ought not to have eſcaped.*

XII. It farther appears, that the *Fifth Follower*, whom the aforeſaid *three* Ring-leaders, or Heads of this infamous Conſpiracy engaged in it, and in the ſacrilegious Inſult, which it gave Birth to, was *Blaiſe-Joſeph Romeiro*. It being plain, from his own Confeſſion, *that* he had conſtantly ſince the Year 1749, lived with the Marquis of *Tavora*, *Francis Aſſizes*, and the Marchioneſs Lady *Eleanor* of *Tavora*, with whom he went that Year to the *Indies*, and whom he alſo attended back from the ſame: But was ſince moved from the Family of theſe to that of their Son, the Marquis, *Lewis Bernard* of *Tavora*: And was actually a Corporal in his Company, Steward of his Houſhold, and his grand Favourite:

rite: In which Qualities, it is manifestly proved, *that* the said Marquis, *Lewis-Bernard* of *Tavora*, not only trusted him with what passed, in the Evening preceding the Night of the Insult, between him, and his Father, and Brother, at the Meetings they had together; but also, that the Marquisses, Father and Son, had given him the Charge, under Tie of Secrecy, to lead the three Horses, which, in the Night of the Insult, they ordered to be saddled, armed and forwarded to the Grounds, where the said Insult was committed: It being proved moreover, that this Criminal, in fact, was present at the sacrilegious Ambushes, which, in the Night, wherein that execrable Crime was perpetrated, were posted, in order to way-lay his Majesty; he being in one of those, the very Associate, who accompanied the Marquis, *Francis-Assizes* of *Tavora*: And, finally, *that* he was also present at the Meeting, which the Associates in the said Ambushes went and held, after retreating from thence, in the Ground lying to the North of the Garden of the Duke of *Aveiro*.

XIII. It farther appears, that the *Sixth* and *Seventh Followers*, whom the Head of this Conspiracy, *Joseph Mascarenhas*

renhas (heretofore Duke of *Aveiro*) engaged in it, where the Criminals, *Anthony-Alvares Ferreira*, formerly Keeper of the Wardrobe to the ſaid *Joſeph Maſcarenhas*, and *Joſeph Policarp de Azevedo*, Brother-in-Law to the ſame *Anthony-Alvares*. It being fully proved, *that* the ſaid *Joſeph Maſcarenhas* charged *Emanuel Alvares*, his actual Keeper of the Wardrobe, to ſend for his ſaid Brother *Anthony-Alvares*: *That* this in fact came and ſpoke with the ſaid *Joſeph Maſcarenhas*: *That* the ſaid *Joſeph Maſcarenhas* talking to him in a Barrack, which is behind the Garden of his Houſe at *Belem*, he communicated to him in great Secrecy the Order for way-laying the Carriage, which conveyed his Majeſty from the Country-houſe, called *de Meyo* (or the Mid-one) to that called *de Cima* (or the Upper one) where his Royal Palace ſtands; and for firing upon the ſaid Carriage with two ſhort Pieces of Fire-Arms, in Company of the ſaid *Joſeph Maſcarenhas*: *That*, afterwards changing their Minds, they both agreed, that he (*Anthony Alvares*) ſhould ſpeak to the ſaid *Joſeph Polycarp*, who was his Brother-in-Law, that he might become an Aſſociate in the execrable Crime in Queſtion: *That*, in fact, thus far it ſucceeded; ſo that they both went-on treating with the

ſaid

ſaid *Joſeph Maſcarenhas* concerning the Diſpoſitions towards the Perpetration of the ſaid deteſtable Crime: *That*, in reality, both the ſaid Criminals went ſeveral times o'Foot and o'Horſeback, in the Company of the ſaid *Joſeph Maſcarenhas*, in order to become acquainted with the ſaid Carriage: *That*, for the ſaid Purpoſe, he ordered them to buy two Horſes not known, as, in Fact, the Criminal *Anthony Alvares* did buy one of them of *Lewis da-Horta* (who reſides in the Yard of *Soccorro*) for *four Moydores*; another from a Gipſey, called *Emanuel Soares* (living at *Marvilla*) for *four Moydores* and a *half*: *That* alſo the ſaid *Joſeph Maſcarenhas* ordered them to buy unknown Arms, which the aforeſaid Criminal, *Antony Alvares*, did not buy; he, together with his ſaid Brother-in-law, making uſe of one Blunderbuſs, of his own, of another which was borrowed, and of two Piſtols, which he had aſked the Loan of (under Pretext of making a Trial of them) from a Foreigner, who reſides in the Houſe of the Count of *Uniaô*; and that immediately after the Inſult, he had returned them to him again: That theſe were the Arms, which the ſaid *Antony-Alvares* and *Joſeph Poltcarp* had fired-off againſt the ſaid Car-

riage, which conveyed his Majeſty, in that moſt unhappy Night of the *third* of *September* of *laſt* Year, when the Inſult was committed: *That* the Premium, which theſe two moſt ſavage Criminals received for the ſame, from the aforementioned *Joſeph Maſcarenhas*, who had given them the Orders for that Purpoſe, was *Forty Moydores*; ſixteen at one Time, four at another, and twenty at another: *That* immediately after having diſcharged the ſaid Arms on the Back of the Carriage, which conveyed our ſaid Lord, he the ſaid *Antony Alvares*, and his ſaid Brother-in-law, fled away through the Grounds till they got into the Lane, which runs on the Out-ſide of the Garden *do Meyo*, from whence through the Croſs-ſtreet of the Chief Commiſſary of Health, they retreated directly to *Lisbon*: And finally, that the Criminal *Antony-Alvares*, going two Days aftewards to the Houſe of the other aforelaid Criminal, who had given him the wicked Orders, and by whom he was then ſent for, he reproached him greatly, ſaying: That *thoſe Shot had been of no Service*; and uttering (with his Finger on his Mouth, and great Serenity) the following Words: *Huſh! for the Devil himſelf can know nothing of the Matter, if thou do'ſt not tell him*; and charging him *not to ſell the Horſes directly, that*

that he might not become ſuſpect. Inſomuch that it is proved, beyond the Reach of Doubt, that theſe two moſt horrible Monſters *Antony-Alvares Ferreira*, and his Brother-in-law *Joſeph Policarp de-Azevedo*, were the two moſt outrageous Monſters, who fired thoſe Shot, from which the Royal Perſon of his Majeſty received the ſacrilegious Blows, which the Honour, the Fidelity, and the filial Love of all his Vaſſals throughout theſe Realms bear to him, have cauſed them to deplore with an unſpeakable Redundancy of Tears.

XIV. It farther appears, that the *Eighth Follower*, whom the ſame Ring-leader, *Joſeph Maſcarenhas*, drew into this Conſpiracy, was the Criminal, *Emanuel Alvares Ferreira*, who ſeveral Times ſent for, and went to fetch the ſacrilegious Aſſaſſin *Antony-Alvares Ferreira*, his Brother; *who* brought to the ſaid *Joſeph Maſcarenhas* the Cloaks, and the Wigs, with which he diſguiſed himſelf the Night of the Inſult: *Who*, till the Time of his being taken, had kept in profound Secrecy the clear Knowledge, which his ſaid Brother *Antony-Alvares* had given him, three or four Days after the Inſult of the Night of the *third* of *September* of *laſt* Year, concerning the Order he had had

from the ſaid *Joſeph Maſcarenhas* for the aforeſaid Inſult, and touching his ſacrilegious Perpetration of the ſame: And finally, *who* was the very Perſon, that, at the Country-houſe of *Azeitaõ*, made the Reſiſtance, by ſnatching the Sword from the Side of the Notary *Lewis Antony de Leiro*, when he honourably and reſolutely ſtopped the aforeſaid *Joſeph Maſcarenhas*, in the Eſcape he was attempting to make.

XV. It farther appears, that the *Ninth Follower*, whom the above mentioned Ring-leaders drew into this Conſpiracy, was *John Michael*, attending Page, and the grand Confident of the aforeſaid Criminal Don *Joſeph Maſcarenhas*; this appearing, by the Name of *John*, to have been, in the Night of the *Third* of *September* of *laſt* Year, one of the Aſſociates in the Inſult in Queſtion; and his ſaid Maſter afterwards declaring this very Criminal, *John Michael*, to have been the very identic *John*, who was aſſociated with him under the Arch, from whence the ſame *Joſeph Maſcarenhas* fired upon the Poſtilion, and miſſed his Fire.

XVI. It farther appears, that, by Means of all the Confederacies, Aſſociations,

tions, Aſſiſtances, above-rehearſed, the aforeſaid three Ring-leaders, or Heads of this Conſpiracy, and their aforementioned Aſſociates, prepared and executed the moſt horrid Inſult of the ſaid Night of the *Third* of *September* of *laſt* Year, with ſuch Deliberation, Obſtinacy, and Cruelty, that though the Inſult itſelf be a Matter of unparalleled Heinouſneſs and Scandal in its very Nature, yet it is rendered far more heinous, ſcandalous, and ſhocking, by the Manner in which it was perpetrated, as follows.

XVII. It farther appears, that, *after that Joſeph Maſcarenhas*, and Lady *Eleanor* of *Tavora*, two of the Ring-leaders of this infamous Conſpiracy, had ſettled a moſt ſordid Gathering, to which the other Aſſociates afore-ſpecified, did alſo contribute, towards making-up the paltry Sum of *One Hundred* and *Ninety-two Milreis*, which were the Premium given to the two ſavage and unnatural Aſſaſſins, *Antony Alvares Ferreira*, and *Joſeph Policarp*; *after that* the Criminal *Lewis-Bernard* of *Tavora*, had, two Days before the Inſult, ſent to the Stables of the Criminal *Joſeph Maſcarenhas* two Horſes ready bridled, ſaddled, and armed for his own Service in the Buſineſs: *After that* the other Criminal

Francis-Assizes of *Tavora*, had also sent to the same Stables of the Criminal *Joseph Mascarenhas* the other three Horses, which were led thither, the Night of the Insult, by the Corporal *Blaise-Joseph Romeiro*, and by the Postilion *Antony-Joseph*: *After that*, the aforesaid *Joseph Mascarenhas*, had, the same Night, ordered the two other Horses for his own riding, called *Serra* and *Guarda-mor*, with the two Nags, called *Palhava* and *Coimbra*, to be also got ready, and posted in the Grounds, which lie behind the Barrack of his Secretary *Antony-Joseph de-Mattos*: *After that*, with the abovesaid nine Horses, and with the two of the infamous and savage Malefactors, *Antony-Alvares* and *Joseph-Policarp*, they compleated the Number of eleven Horses, for as many Associates in the Crime, who were mounted thereon: They all posted themselves, divided into different Parties, or Ambuscades, within the little Tract of Ground, which lies between the northern Extremity of the Houses belonging to the Garden called *do Meyo*, and the opposite southern Extremity of the Garden called *de Cima*, through which our Lord THE KING usually returned Home, when he had been abroad in a private Manner, as was the Case the Night of the most horrible Insult in Question in the pre-

 sent

ſent Proceedings; that if the moſt precious Life of his Majeſty eſcaped from the firſt Way-layings, it might not fail of being deſtroyed by the others which ſucceeded them.

XVIII. It farther appears, that our ſaid Lord having turned the Corner of the ſaid northern Extremity of the above-mentioned Houſes belonging to the Garden *do Meyo*, the aforeſaid Ring leader of the Conſpiracy *Joſeph Maſcarenhas*, came forth immediately from the Arch, which was in that Place, and (accompanied by his Servant and Confident *John Michael*, and the other of the Criminals guilty of this Enormity) let-off againſt *Coſtodio da-Coſta*, the Coachman who drove his Majeſty, a Blunderbuſs or Demi-Culverin, which miſſing Fire, and warning the Coachman with the Report it gave, and the Flaſh from the Pan, obliged him, without declaring to his Majeſty what he had ſeen and heard, to puſh on the Mules, ſo as that he (the Coachman) might avoid the repeated Diſcharges which he apprehended; inaſmuch as he had ſeen the one, which was let-off, aimed with a Deſign to murder him: And the Miſcarriage of this attempted Firing againſt the ſaid Coachman was the firſt of the apparent Miracles with which

the Divine Omnipotence, in that moſt fatal Night, ſuccoured all theſe Realms, by the Preſervation of the ineſtimable Life of his Majeſty; it being impoſſible he ſhould have eſcaped, if, the Coachman falling dead with that infamous Diſcharge, our ſaid Lord had remained a Prey in the Hands of thoſe horrible Monſters, who ſtood armed, in ſo many and ſuch neighbouring ambuſhes againſt his moſt auguſt and moſt precious Life.

XIX. It farther appears, that, on account of the haſty Pace with which the ſaid Coachman endeavoured to ſave himſelf from the farther Diſcharges with which he ſaw himſelf threatened, as aforeſaid, the two moſt ſavage Malefactors, *Antony-Alvares* and *Joſeph-Policarp*, who were poſted in the Ambuſh immediately following, cloſe to the Cavity of the new Wall, which was lately raiſed there, could not, with all the Facility they wanted, make their infamous Diſcharges at the Back of the Carriage which conveyed our ſaid Lord, ſo as to take a ſteady Aim at the Spot againſt which they ſhould fire. Wherefore galloping after the ſaid Carriage, they fired as they poſſibly could upon the Back of the ſame, the two ſacrilegious and execrable Shot,

which

which (after having wrought on the ſaid Carriage, and upon the very Cloaths our ſaid Lord was dreſt in, all the Miſchiefs and deſtructive Effects manifeſted in the Proceedings on the Matter of the Crime) cauſed in his Majeſty's moſt Auguſt and moſt Sacred Perſon thoſe moſt grievous and moſt dangerous Wounds and Dilacerations; which, from the Right Shoulder along the Arm and down to the Elbow on the Outſide, and alſo on the inner Part of the ſame, occaſioned, over and above the ſaid Wounds and Dilacerations, a conſiderable Loſs of Subſtance from the Largeneſs of the Cavities, and the Variety of the Contuſions: Six of which went ſo far as to offend the Breaſt, a great Number of Slugs being extracted from them all. Whence, on *one* Hand, is manifeſtly ſeen the Cruelty with which the Slugs were preferred to Bullets, in order by that Means the more certainly to ſecure the moſt fatal Purpoſe of that ſavage and ſacrilegious Inſult: And on the *other*, that this was the *Second* of the miraculous Works of the Divine Omnipotence in that moſt unfortunate Night, for the common Benefit of theſe Realms, and of all the Dominions thereof: For it cannot be in the common Order of Events, nor can it be in any wiſe aſcri-

bed to the Casualty of accidental Occurrences, that two Charges of Slugs, fired out of such Pieces, should make their Way through the narrow Space of a Carriage, without totally and absolutely destroying the Persons who were in such Carriage. And this is a self-evident Proof, that only the Arm of the Almighty could have the Power to turn aside those sacrilegious Shot, so as that the one should only grazingly offend the outward Part of the said Shoulder and Arm, and that the other should graze along between the said Arm and the Right Side of the Body, offending only the outward Parts, without affecting any principal one.

XX. It farther appears, that this Second miraculous Event was followed by a Third, equal to it, or rather greater. For our Lord GOD making use in that critical Conjuncture of that heroic Courage and unshaken Serenity, which among his Majesty's many Royal and most August Virtues are so distinctly brilliant, towards the Preservation of his most inestimable and beneficent Life, for the unspeakable Good of us all: Our Lord GOD, we say, making use of these the Royal Virtues, to manifest his Prodigies to us; his Majesty

jeſty not only bore thoſe unexpected and moſt torturing Miſchiefs, without uttering a ſingle Word, which indicated a Complaint; but, in the ſame moſt unhappy Moment, reflecting with an enlightened and ſteady Judgment, that every Step he ſhould advance would throw him wider off the chief Surgeon of the Kingdom, who reſides at *Junqueira*, and that the great Quantity he was loſing of his Royal Blood, would not allow him the Time for the three Delays, which would be occaſioned in his going on to his Palace at our Lady of *Ajuda*, in ſending from thence to *Junqueira* to fetch the ſaid chief Surgeon; and in the coming of the ſame from *Junqueira* to the ſaid Palace; his Majeſty took the wonderful Reſolution to order the Carriage to return back immediately from where he then was, to the Houſe of the ſaid chief Surgeon of the Kingdom: Where, not ſuffering his Wounds to be uncovered till he had, by the Sacrament of Penance, firſt returned Thanks to the Supreme King of Kings, for the incomparable Goodneſs it had pleaſed him to exert for the Preſervation of his Life from ſo great a Danger, he firſt confeſſed himſelf at the Feet of a Miniſter of the Goſpel, and then proceeded with the ſame Silence,

lence, Serenity, and Firmneſs, to ſubmit to the painful Operations neceſſary towards a Cure. Which Wiſdom the Divine Omnipotence made uſe of as another Inſtrument towards bleſſing us with the Preſervation of the moſt precious and moſt beneficent Life of our Lord THE KING: Inaſmuch as his Majeſty's magnanimous Silence at the Time of the Inſult, and his enlightened Reſolution in returning back, after that brutal Attempt upon him, are what conſtitute the Third miraculous Diſpenſation of the Divine Omnipotence; for by theſe Means his Majeſty avoided the other Dangers, which he could not have eſcaped, had he continued the Route he was accuſtomed to take in returning home to his Palace; ſince, by going that Way, he muſt inevitably have paſſed through the ſeveral Ambuſhes of the other ſavage Aſſociates in the Crime (all guilty of this heinous and horrible Inſult): They being poſted on the ſaid Road, ready armed, to way-lay our ſaid Lord, in the Caſe (which happened) of his ſaving himſelf from the two foremoſt of the ſaid Ambuſhes.

XXI.

XXI. It farther appears, that the aforeſaid Criminals aſſociated for this deteſtable and moſt enormous Villainy, were ſo cruelly and barbarouſly hardened therein, and ſo totally abandoned by the Divine Grace, that having retreated through the ſeveral Lanes and Defiles ſet forth in the Proceſs; In the *firſt* Place, they aſſembled again the ſame Night, immediately after their ſaid Retreat, in the Road which runs along by the Northern Extremity of the Garden of the Criminal *Joſeph Maſcarenhas*, and there, inſtead of ſhewing any Symptoms of their Hearts being rent with Grief, in Conſideration of the moſt enormous and pernicious Miſchief they had juſt perpetrated; very much on the reverſe, they bragged of, and gloried in it, one with another; the Criminal *Joſeph Maſcarenhas*, then Duke of *Aveiro*, beating on the Stones the Demi-culverin or Blunderbuſs, which had miſſed going off when he fired it againſt the afore-mentioned Coachman, *Cuſtodia da Coſta*, and ſaying in a Paſſion, and angry with the ſaid Demi-culverin, theſe infernal Words, *Damnation ſeize thee! when I want thee, thou art of no Uſe to me*; The Criminal *Francis Aſſizes*, then Marquis of *Tavora*, expreſſing

preſſing ſome Doubt, whether his Majeſty had periſhed by thoſe ſacrilegious Shot which were fired; the ſaid Criminal *Joſeph Maſcarenhas*, re-aſſuming the Diſcourſe with thoſe other infernal Words, *No Matter, if he is not dead, he ſhall die*; another of the Aſſociates and Aggreſſors taking up theſe Words, and replying with the moſt impious Threat, *The Point is, that he do but go out*, &c. And the other Criminal, *Joſeph-Maria* of *Tavora*, enquiring with great Compoſure after the Aſſociate *John Michael*, who was not as yet arrived. And in the *next* Place, reaſſembling in the Houſe of the aforeſaid *Joſeph Maſcarenhas*, on the Day immediately following, in a Family-Meeting, in Conſequence of the ſame inflexible Obſtinacy, ſavage Deſpair, and deplorable Abandon of all Divine Graces, they there perſiſted, ſome in reproaching the Aſſaſſins *Antony-Alvares* and *Joſeph-Policarp*, for that they had not aimed their Fires in ſuch a Manner, as to compleat all their moſt miſchievous Intent: Others in boaſting, that they ſhould have effectually compleated the ſaid execrable Intent, had our Lord THE KING paſſed by the Ambuſhes, where they themſelves were poſted to way-lay him; and others in ſoothing, or rather pampering their

Cruelty

Cruelty with the Reflection, that his Majesty would not have escaped with his Life, had he continued the Road by which he was wont to return home, instead of turning back, as he did, by the Descent of *Ajuda* to *Junqueira*.

XXII. It farther appears, that even if all the exuberant and conclusive Proofs above rehearsed, which, with a fresh Kind of manifest Miracle in the Proceedings of this Cause, verify the foul Existence of this horrid Conspiracy, and the Crimes of every one of the Criminals confederated therein, had really been wanting, as in the like Cases they often are; the Presumptions of the Law, which condemns the Ringleaders, or Heads of the said Conspiracy to be punished thereby, with all the Rigours of Law, and such others as his Majesty shall be pleased to permit, would amply suffice. For whereas all Presumptions of the Law are held for so many every way unquestionable Truths, and for so many most full and uncontrovertible Proofs, which dispense with the want of every other Proof, and lay the Person, who has them against him, under the Encumbency of producing other contrary Proofs, of such Strength and Efficacy as may conclusively

ſively deſtroy them; not one only, but many are the Preſumptions in Law, which the ſaid Ringleaders of this Conſpiracy, and principally the Criminal *Joſeph Maſcarenhas*, heretofore Duke of *Aveiro*, and the perverted Members of the *Society* of JESUS have againſt them.

XXIII. It farther appears, in Confirmation of the above Premiſſes, that whereas the Law preſumes, that he who has been once bad, will be always ſuch in Crimes of the ſame Species with That he has already committed; not one, but many have been the Iniquities, which theſe two Ringleaders have meditated againſt the Auguſt Perſon and moſt happy Government of our Lord THE KING, by a Series of Facts continued from the very Commencement of his Majeſty's moſt happy Government.

XXIV. It farther appears, with regard to the ſaid *Jeſuits*, that theſe finding that the Superiority of Lights, and the incomparable Penetration of our ſaid Lord, deprived them of the Hopes of preſerving that Deſpotiſm in this Court, which they had arrogated to themſelves

in

in the Management of the Affairs thereof; and finding, that without this their abſolute Deſpotiſm, they could not by any Means cover the Uſurpations they had made in the *Portugal* Dominions in *Africa*, *Aſia*, and *America*; and much leſs palliate the open War, which they had kindled with a formal Rebellion, in the North and South of the States of *Brazil*; they deviſed the moſt calumnious and deteſtable Suggeſtions and Intrigues againſt his Majeſty's high Renown, and againſt the public Tranquillity of theſe Realms; thereby to alienate from our ſaid Lord both Natives and Foreigners; having repeatedly attempted various Projects of an execrable Nature, in order to excite Seditions in the very Heart of the Court and Kingdom, and to draw the Scourge of War upon the ſaid Kingdom and the Vaſſals thereof: From all which it ſollows, that the ſaid *Jeſuits* having committed all the aforeſaid Iniquities againſt our Lord THE KING, and againſt his Kingdom, they are thereby conſtituted in the proper Terms of the aforeſaid Rule and Preſumption of the Law; and it would thence ſuffice, if all other Proofs had failed, to convince our Minds, that They were afterwards the Perſons, who deviſed

ſed the Inſult in Queſtion; till they ſhould prove in a concluſive Manner, that the Criminals guilty thereof were other People.

XXV. It farther appears, in fuller Confirmation of all that has been ſaid, that, the Law preſuming, that a great Crime is not committed without a great Intereſt; and therefore preſuming alſo that the ſame Perſon, who has the Intereſt in committing ſuch Crime, was the Perſon who did commit the ſame, till it be made perfectly evident that the Author thereof was another; and the ſaid *Jeſuits* having all the grand Intereſts which have been mentioned (and which by their own Acts and Deeds they manifeſted in this Conſpiracy) in cauſing an End to be put to the moſt precious Life of our Lord THE KING, and to his Majeſty's moſt happy Government; this ſingle Preſumption of the Law would alſo be ſufficient to it's being held for an uncontrovertible Proof, according to Law, that the ſaid *Jeſuits* were the Criminals guilty of this execrable Crime; principally when it is conſidered, that only an Ambition ſuch as theirs, of making a Conqueſt of the Dominions of this

this Realm, could bear any Proportion and Parity with the Inſult unhappily committed in the Night of the *Third* of *September* of *laſt* Year.

XXVI. It farther appears, in ſtill fuller Confirmation of the Proofs, which are found in the Proceedings in this Cauſe againſt the ſaid *Jeſuits*, and of thoſe which reſult againſt them from the Preſumptions of the Law above weighed; that all the ſaid Proofs are corroborated with an invincible Strength, when it is conſidered, that at the Juncture in which our Lord THE KING was diſconcerting and diſarming all thoſe wicked Devices of the aforeſaid *Jeſuits*, by depoſing the Royal Penitentiaries of that Fraternity, and by forbidding to all the Members thereof all Acceſs to the Palace; it was ſeen on *one* Hand, that, at the very Time when ſo many undeceiving Diſappointments, as were perking them in the Face, ſhould have ſerved to humble them; ſo far did they behave on the Reverſe, that they openly and undiſguiſedly went on encreaſing in Arrogance and Pride; publickly bragging, that the more the Court threw them off, ſo much the more the Nobi-

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lity clung to them; threatning the ſaid Court in an equally public Manner with the Divine Chaſtiſements; and ſuggeſting from themſelves, and by their Adherents, till the very latter End of *Auguſt* laſt paſt, that his Majeſty's moſt precious Life would be ſhort; ſending ſuch Notices, by ſeveral Poſts, to different Countries of *Europe*; going ſo far as to explain, that the Month of *September* laſt paſt, was to be the final Period of the ſame moſt auguſt and ineſtimable Life; and *Gabriel Malagrida* writing to different Perſons of the Court the ſaid moſt wretched Prognoſtics, in Tone of Prophecies: And on the *other* Hand, in Contradiction of all this, it was ſeen (and that on a Sudden) that once the Criminals guilty of this horrible Conſpiracy were ſeized, as they were in the Morning of the *Thirteenth* Day of *December* laſt paſt, immediately by the next following Poſt of the *Nineteenth* of the ſaid Month of *December*, their Provincial, *John Henriques*, and others of their Fraternity, who hitherto uſed to write nothing but the like Arrogances, Haughtineſſes, and Prophecies of Vengeance and Death, now writing to *Rome*, made Uſe of more ſubmiſſive and humble Terms; in order by the Poſt of the

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ſaid *Nineteenth* of *December*, to give Notice; that the Marquiſſes of *Tavora*, the Marquis of *Alorna*, the Count of *Atouguia*, *Emanuel* of *Tavora*, the Duke of *Aveiro*, and others were taken-up for the Inſult of the *Third* of *September* laſt paſt; they had military Guards ſet upon the Houſes of their own Order; that the Fathers at *Rome* ſhould recommend them to GOD, as their Neceſſities greatly required; that they could make no Oppoſition to what they apprehended; that all the Community were in great Affliction, having Recourſe to the Exerciſes of *F. Malagrida*; that the Public involved them in the Inſult of the *Third* of *September*, and ſentenced them to Impriſonments, Exiles, and a total Expulſion from the Court and Kingdom; that they were in the greateſt of Straits; in the utmoſt Calamity; full of Dreads, and Frights; without any Conſolation, and without any Hopes thereof, *&c.* There reſulting from theſe two contradictory Extremes of writing, as well in the Subſtance as in the Manner, before and after the aforeſaid Inſult, nothing leſs than a plain Demonſtration to conclude; *That*, before the ſaid Inſult, they confided in the Conſpiracy, which miſcarried of that horrid Attempt, and

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in the Hopes that it would bring forth its moſt pernicious Effects, which emboldened them to ſpeak and write with ſo much temporal Haughtineſs, and with ſo much ſpiritual Arrogance, and in a Tone of fatal and ſacrilegious Prophecy: And *that*, after the Impriſonments of the *Thirteenth* of *December* laſt paſt, finding themſelves diſcovered; and Thoſe, who had conſpired with them, ruined, and on the Point of being puniſhed; all that chimerical Structure of Pride and Arrogance, neceſſarily ſunk into that abject Faint-heartedneſs, which is indiſpenſably annexed to the Conviction of Guilt, and the Want of Means to cover and ſupport the Diſſimulation with which it was committed.

XXVII. It farther appears, with regard to the other Ring-leader, or Head of the ſame Conſpiracy, Don *Joſeph Maſcarenhas*, formerly Duke of *Aveiro*, that he alſo would be found under the ſame Diſpoſition towards being condemned by the plain Proof, eſtabliſhed on the ſame Preſumptions of the Law, even had there been nothing more againſt him: For as to the *firſt* of the ſaid Preſumptions, which regards the Badneſs of Morals of the ſaid Criminal; it is notorious,

that

that afore the Deceaſe of our Lord the King, Don JOHN V. whom GOD has called to his Glory; at the very Time of the Deceaſe of that moſt auguſt Monarch; immediately after his Deceaſe; and even from that Time to the preſent, he was Author of the innumerable Intrigues and Cabals, with which he filled the Court of our Lord THE KING, in order to ſurprize his Majeſty, and obſtruct his Reſolutions, as well in the Courts of Judicature as in the Cabinet, by the Means of Miniſters and Perſons of the Faction of his Uncle *F. Gaſpar da-Encarnaçaô*, and of his own Party of the ſaid Criminal; in ſuch Manner as that neither Truth might approach the Royal Preſence of our ſaid Lord, nor any Reſolutions be taken, which were not obreptitious, ſubreptitious, and founded on falſe and captious Informations. And as to the *ſecond* of the ſaid Preſumptions, which conſiſts in the great Cauſes and Intereſts he might have, for committing this execrable Crime, it has been already ſhewn, that they are made manifeſt and of infallible Certainty in the Proceedings of this Cauſe. And *finally*, for a farther Confirmation of the Belief (which the Acts and Deeds of the ſaid Criminal have made

made certain) that he was the Perſon who committed the execrable Inſult in Queſtion; it will ſuffice to reflect, that both before and after it he acted the very ſame Part, which was acted by the ſaid *Jeſuits*; it being certain on *one* hand, that afore the ſaid Inſult, his Pride and his Arrogance were ſuch, and ſo generally ſcandalous, as is manifeſted: And it being equally certain on the *other*, that ſince the ſame execrable Inſult failed of producing the moſt horrible Effect, to which it was deſtined; and that our Lord THE KING began to recover; all that Pride and his Arrogance ſunk into that moſt diſcompoſed Heartleſneſs, with which the ſaid Criminal, having no longer the Courage to appear at Court, quitted it with Confuſion and Dread to retire to his Country-Houſe at *Azeitaõ*, where he was ſeized; after attempting to ſave himſelf, firſt, by Flight, and then by an ill-judged Reſiſtance.

XXVIII. It farther appears, *laſtly*, that the ſame prevails with regard to Lady *Eleanor* of *Tavora*, heretofore Marchioneſs of that Title, the third Ringleader of this infamous Conſpiracy. It being *notorious*, in the firſt Place, that her diabolical Spirit of Pride and inſatiable Ambition

Ambition, acccompanied with the moſt daring and intrepid Haughtineſs, which has hitherto been ſeen in any Perſon of her Sex, was ſufficient to excite her to run into the greateſt Inſults, and particularly into the one in Queſtion: It being equally *notorious* that, inſtigated by thoſe blind and moſt ardent Paſſions, ſhe had the Boldneſs (along with her Huſband) to offer a Remonſtrance to our Lord THE KING, for him to be made a Duke; notwithſtanding that all his inſignificant Services had been fully requited with the Promotions he had obtained in the Year One thouſand ſeven hundred and forty-nine, the Year, in which he ſet out for the State of *India*; and that there was no Precedent, in the Chanceries of the Realm, of any one in that Poſt being promoted to the Title of Duke, not even for ſuch important Services as thoſe of the many and great Heroes, who have illuſtrated the *Portugueſe* Hiſtory with their glorious Feats: It being equally *notorious*, that both the ſaid Criminals, without Conſideration or Shame, were inceſſantly perſecuting the Secretary of State for domeſtic Affairs for that Promotion; which, as it was not compriſed in the uſual Courſe of Royal Grants, they haughtily and inceſſantly demanded and ſued for, as a Debt of Juſtice: It being

equally certain, that the ſame Secretary of State was compelled, in order to check thoſe daily Importunities, and the ſucceſſive Reproaches which thence reſulted, to make the ſaid Criminals comprehend in a polite and decent Manner, that their Pretenſion had no one Precedent to ſupport it: And this neceſſary Act of undeceiving them, proved, though involuntarily, the Foundation of that Paſſion and Intereſtedneſs, with which the ſaid Marchioneſs Lady *Eleanor* of *Tavora* went and reconciled herſelf with the Duke of *Aveiro*, and declared herſelf one of the Ringleaders of the barbarous Conſpiracy contrived by him, in order to obtain, by the Favour of the ſame Duke, with the Ruin of Majeſty and the Monarchy, that Ducal Title, which the vehement Ambition of rivalling her aforeſaid Brother-in-law in the ſame Title, had inflamed her with: And laſtly, it being equally *notorious*, that all that Pride, Ambition, and Haughtineſs, which ſhe had exerted, till the fatal Epoch of the execrable Inſult of the *Third* of *September* of *laſt* Year, did, after the ſaid Inſult, fall ſpiritleſs into manifeſt Confuſion and Diſmay.

XXIX. All which conſidered, and the reſt contained in the Proceſs, together with the Reſolution, which it ha pleaſed

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our ſaid Lord to come to in the Conſultation of this Tribunal, by amplifying the Juriſdiction and Authority thereof, to the End that it may extend the Penalties deſerved by theſe infamous and ſacrilegious Criminals, in ſuch Form as may proportion them as much as poſſible to their execrable and moſt ſcandalous Crimes.

They condemn the Criminal *Joſeph Maſcarenhas* (who is already unnaturalized, diveſted of the Honours and Privileges of a *Portugueſe*, and of thoſe of a Vaſſal and Servant; degraded of the Order of *St. Jago*, of which he was a Commendatory; and reſigned up to this Tribunal and to the Lay-Juſtice, which is therein adminiſtered) to the Puniſhment, That He, as one of the three Heads, or chief Ringleaders of this infamous Conſpiracy, and of the abominable Inſult which reſulted from it, be conveyed, with a Halter about his Neck, and Proclamation of his Crimes, to the Square upon the Quay of the Town of *Belem*; and that there, upon a high Scaffold, which ſhall be ſufficiently elevated for his Puniſhment to be viſible to the whole People, whom the Scandal of his moſt horrible Crime has offended, after he has been broken alive, by the Rupture of the eight Bones

of his Legs and Arms, he be expoſed on a Wheel, for the Satisfaction of the preſent and future Vaſſals of this Realm: And that, after this Execution being done, the ſame Criminal be burnt alive, with the ſaid Scaffold on which he was executed, till all be reduced by Fire into Aſhes and Powder, which ſhall be thrown into the Sea; that there may be no more Notice taken of him or his Memory: And though, as a Criminal guilty of the abominable Crimes of Rebellion, Sedition, High-Treaſon, and Parricide, he be already condemned, by the Tribunal of Military Orders, to the Confiſcation and Forfeiture of all his real and perſonal Eſtate to the Uſe of the Crown, as has been practiſed in the Caſes, wherein the Crime of High-Treaſon of the firſt Rate has been committed; nevertheleſs, conſidering this as having been a Caſe ſo unexpected, ſo unuſual, and ſo extravagantly horrible and unthought of by the Laws, that not even they have provided for, nor can there be found therein a Puniſhment proportioned to it's exorbitant Foulneſs; therefore from this Motive our ſaid Lord was entreated in the Conſultation of this Court, and his Majeſty was pleaſed, in Conformity to it's Requeſt, to grant it the ample Juriſdiction to eſtabliſh all the Puniſhments, which

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ſhould be ſettled by a Plurality of Votes, over and above thoſe, which by the Laws, and the Diſpoſitions of Law, are already eſtabliſhed: And conſidering that the Puniſhment, the moſt conformable to Equity, is that of Erazing and Obliterating, by every Means, every Memorial of the Name and Remembrance of ſuch enormous Criminals: They alſo condemn the ſame Criminal, not only in the Penalties of the Common Law, that his Arms and Atchievements, wherever placed, be pulled down, and rent in Pieces; and that the Houſes, and material Edifices of his Abode, be demoliſhed and erazed in ſuch Sort, that there may not a Sign of them remain, being reduced to a Wild, and covered with Salt; but alſo, that all effective Houſes or Eſtates by him enjoyed, in thoſe Parts thereof, which have been eſtabliſhed in Properties of the Crown, or have iſſued from thence (as, for Example, thoſe Eſtates were, which are ſpecified in the Grants of the Houſe of *Aveiro)* and all ſuch-like, be confiſcated, and from this Time forward forfeited, with effectual Reverſion and Reincorporation in the ſaid Crown, from whence they derived; notwithſtanding the ORDINATION of *Book* V. Tit. 6. § 15, and any Regulati-

ons of Law, Clauſes of Inſtitutions, and Grants whatever; however exuberant and annulling they be: This Deciſion being conſulted with our ſaid Lord; and he being humbly beſought to paſs Orders for Cancelling, Annulling, and Deſtroying the ſaid Titles, in the Tower of *Tombo*, and in all other Places whereto they may belong, to the End that, as cancelled and annulled, no more Copies may be extracted from them; and that thoſe, which may be found in private Hands, already extracted from thence, be no more admitted in Judgment, or out of the ſame: In which no Faith or Credit ſhall be had, towards their being alledged, produced, or attended to, in any Audience or Adjudgment; but rather, as they ſhall chance to be produced, they ſhall be ſequeſtered, and ſent to the Solicitor of the Crown, to be torn and rent, as null; that, as ſuch, they may be of none Effect, nor cauſe any Demur. The ſame they order to be obſerved, with reſpect to the Copy-holds of any Kind whatever, with the Priviſo eſtabliſhed, concerning the Sale thereof in Benefit of the Lords of the Manors, by the ORDINATION of *Book* V. Tit. 1. §. 1. With regard to the other entailed Eſtates, ſettled with the Patrimony of the Entailers, they

they declare, that the Statutes are to be obſerved in Benefit of thoſe, who ought to ſucceed to them, as they are found in the ORDINATION of *Book* V. Tit. 6. §. 15.

They condemn to the ſame Pains, the Criminal *Francis-Aſſizes* of *Tavora*, a Head alſo of the ſame Conſpiracy, perſuaded by the Criminal his Wife, and equally unnaturalized, degraded, and given-up, by the Tribunal of Military Orders, to this Court and the Lay-Juſtice therein adminiſtered. And ſeriouſly conſidering, and circumſpectly weighing, with all the mature Deliberation which was indiſpenſible in this Caſe, that the ſaid Criminal, and the Criminal his Wife, not only made themſelves perſonal Heads of this flagitious Conſpiracy, Treachery, and Parricide, but alſo rendered their moſt enormous Guilt common to their Family, by gaining their Point of drawing into it alſo the major Part of the ſame Family, and boaſting with infatuated and petulant Vanity, that the Union thereof would be ſufficient to uphold them in the Commiſſion of thoſe moſt horrible Cruelties: They ordain, That no Perſons, of whatever State or Condition they be, from the Publication hereof, for the Future, may make Uſe of the Surname of *Tavora*,

Tavora, on Pain of Forfeiture of all their Goods and Chattels to the Uſe of the Crown, and of being outlawed throughout theſe Realms and the Dominions of *Portugal*, with the Forfeiture of all the Privileges belonging to them, as Natives thereof.

They condemn the two ſavage Monſters *Antonio-Alvares Ferreira* and *Joſeph-Policarp de Azevedo*, who fired the two ſacrilegious Shot, from which the Supreme Majeſty of our Lord THE KING received the Hurt, to be conveyed with Halters about their Necks, and Proclamation of their Crimes, to the ſame Square; and that being there exalted on two Poſts, Fire be ſet to them, which ſhall conſume them alive, till their Bodies be reduced to Aſhes and Powder, which ſhall be thrown into the Sea in the afore-mentioned Manner: And This over and above the Confiſcation of all their Goods and Chattels to the Uſe of the Crown, with the Demolition and Erazement of their Dwelling-Houſes, if their own; in which Caſe, they ſhall be likewiſe covered with Salt. And whereas the Criminal *Joſeph-Policarp* has abſconded, they hold him for Out-law'd; and they Command all the Juſticiary Officers of

of his Majeſty, that they purſue him, with Hue and Cry, throughout the Land, in order to have him ſeized; or that Any-Body, without being his Enemy, may kill him: And in caſe he be taken Priſoner within the Dominions of this Realm, and preſented before the Senator of the Palace, *Peter Gonçalves, Cordeiro Pereira, Judge* of the Private Inqueſt; he will cauſe the Perſon or Perſons, who ſhall preſent him, to be gratified with the Reward of *Ten Thouſand Cruſados*; or of *Twenty Thouſand Cruſados*, he being apprehended in a Foreign Country, over and above the travelling Expences they may be at, who ſeize and give him up.

They condemn the Criminals *Lewis-Bernard* of *Tavora*, Don *Jerome* of *Ataide*, *Joſeph-Maria* of *Tavora*, *Blaiſe-Joſeph Romeiro*, *John Michael*, and *Emanuel-Alvares*, to be conveyed, with Halters about their Necks, and the Proclamation of their Crimes, to the Scaffold, which ſhall be erected for theſe Executions; whereon, being firſt ſtrangled, and afterwards having ſucceſſively the eight Bones of their Arms and Legs broken, they ſhall alſo be put on Wheels, and their Bodies be reduced by Fire into Powder, and thrown into the Sea, in the Manner aforeſaid.

foreſaid. And they condemn them likewiſe in Confiſcation and Forfeiture of all their Goods, to the Uſe of the Crown; and even the Entails founded on Property of the Crown, in the Manner above declared, as alſo all Copyholds; over and above the Infamy, in which they hold their Children and Grand Children involved; and the Demolition, Erazement, and Salting of their Dwelling Houſes, if their own; and the pulling down and Defacement of the Arms and Atchievements of ſuch of them, as had any heretofore.

And the Criminal Lady *Eleanor* of *Tavora*, Wife of the Criminal *Francis-Aſſizes* of *Tavora*, for certain juſt Conſiderations, (exempting her from the greater Puniſhments, which by her Crimes ſhe deſerved) they condemn only to be conveyed, with a Halter about her Neck, and the Proclamation of her Crimes, to the ſame Scaffold, and, that, thereon ſhe ſuffer natural Death to Perpetuity, by having her Head ſeparated from her Body; which ſhall be afterwards by Fire reduced to Powder, and thrown alſo into the Sea, in the Manner aforeſaid: They alſo condemn the ſame Criminal in Confiſcation of all her Goods to the Uſe of

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the Crown; comprehending, in this Confiſcation, Thoſe of Entail, which may be founded on Property of the Crown, and Copyholds of the like Nature; together with all the other Penalties which have been eſtabliſhed for the Extinction of the Memory of the Criminals, *Joſeph Maſcarenhas*, and *Francis-Aſſizes* of *Tavora*.

At the Palace of Our Lady of *Ajuda*, in the Conſultation of the 12th of *January* of 1759.

With the Signature of the three Secretaries of State, who preſided.

Cordeiro. Pacheco. Bacalhão. Lima. Souto.

Oliveiro Machado

Was preſent

With the Signet of the Solicitor of the Crown.

FINIS.

the Crown; comprehending, in this Confiscation, Theft of Entail, which may be founded on Property of the Crown, and Copyholds of the like Nature; together with all the other Penalties which have been established for the Extinction of the Memory of the Criminals; Joseph Mafcarenhas, and Francis Xavier of Tavora.

At the Palace of Our Lady of Ajuda, in the Confultation of the 12th of January of 1759.

With the Signatures of the three Secretaries of State, and the prefident.

Cardeira. Pedro Alvares de Lima. Sento Manoel Machado

Was prefent

With the Signet of the Solicitor of the Crown.

FINIS.

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